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In Advance.

Volume I.

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CONGRESS.

IN SENATE.

MONDAY, December 12, 1842

The following Senators appeared in their seats: The Hon. Mr. Miller, of New Jersey; Mr. Woodbridge, of Michigan; Mr. Simmons, of Rhode Island; Mr. Smith, of Indiana; Mr. Fenton, of Arkansas; Mr. Linn, of Missouri; and Mr. Conrad, of Louisiana.

The President of the Senate, before he announced the Committees, reported that he had taken the existing arrangement of the committees as a proper basis for the new arrangement. He regarded the devolving of the duty of appointing the committees upon the Chair as implying, on the part of the Senate, a wish that no important changes should be made. The Chair had accordingly taken the former assignment with few exceptions. These few had been enforced by necessity, arising from vacancies, or from yielding to the personal wishes of gentlemen, when not incompatible with the interests of the public service. Scarcely any other change had been made.

The Senate, he said, would observe that a change had been made in the leading Committee of the Senate—that of Foreign Relations. The Chair yielded reluctantly to the urgent request of the late chairman of that Committee to be excused from all committee duty; which request, in the opinion of the Chair, seemed to be grounded on satisfactory reasons.

The Committees were then announced as follows:

Committee on Foreign Relations.—Messrs. Archer, Berrien, Buchanan, Tallmadge, and Choate.

Committee on Finance.—Messrs. Evans, Graham, Woodbury, Berrien, and Crittenden.

Committee on Commerce.—Messrs. Huntington, Woodbridge, King, Barrow, and Wright.

Committee on Manufactures.—Messrs. Simmons, Archer, Miller, Buchanan, and Morehead.

Committee on Agriculture.—Messrs. Linn, Bates, Crafts, Smith of Connecticut, and Sturgeon.

Committee on Military Affairs.—Messrs. Crittenden, Merrick, Benton, Huntington, and Wilcox.

Committee on the Militia.—Messrs. Barrow, Fulton, Smith of Indiana, Williams, and McRobert.

Committee on Naval Affairs.—Messrs. Bayard, Choate, Williams, Barrow, and Graham.

Committee on Public Lands.—Messrs. Smith of Indiana, Tallmadge, Walker, Huntington, and Conrad.

Committee on Private Land Claims.—Messrs. Henderson, Linn, Tappan, Fulton, and Sprague.

Committee on Indian Affairs.—Messrs. White, Morehead, Sevier, Phelps, and Benton.

Committee on Claims.—Messrs. Graham, Wright, Woodbury, Woodbridge, and Phelps.

Committee on Revolutionary Claims.—Messrs. Phelps, Clayton, Smith of Connecticut, Allen, and Williams.

Committee on the Judiciary.—Messrs. Berrien, Clayton, Dayton, Walker, and Kerr.

Committee on the Post Office and Post Roads.—Messrs. Merrick, Simmons, McRobert, Conrad, and Miller.

Committee on Roads and Canals.—Messrs. Porter, White, Young, King, and Cuthbert.

Committee on Pensions.—Messrs. Bates, Phelps, Allen, Bagby, and Sevier.

Committee for the District of Columbia.—Messrs. Miller, Bayard, King, Kerr, and Young.

Committee on Patents and the Patent Office.—Messrs. Kerr, Porter, Henderson, Wilcox, and Sturgeon.

Committee on Retrenchment.—Messrs. Morehead, Graham, Miller, and Fulton.

Committee on Indian Affairs.—Messrs. Bayard, Choate, Williams, Barrow, and Graham.

Committee on Public Buildings.—Messrs. Dayton, and Evans.

Committee to audit and control Contingent Expenses of the Senate.—Messrs. Tappan, White, and Porter.

Committee on Printing.—Messrs. Clayton, Williams, and Sprague.

Committee on Enrolled Bills.—Messrs. Conrad, Bigly, and Surgeon.

Committee on the Library of Congress.—Messrs. Woodbridge, Tappan, and Choate.

Committee on Enrolled Bills.—Messrs. Sprague and Williams.

EXPUNGING RESOLUTIONS.

Mr. Benton gave notice that when the resolution of the Senate for the rescinding of the expunging resolution came up, he would offer the following as an amendment:

Strike out after the word resolved, and insert as follows:

"That the resolutions expunging from the Senate journal the sentence of condemnation against President Jackson for removing the public deposits from the Bank of the United States, commonly called the expunging resolution," was an act done by the Senate in conformity to the will of the People, authentically expressed in the popular elections, and in the instructions from the General Assemblies of the States, after a full and fair submission of the question to the People and the States for their consideration, and decision. And the said expunging resolution," having been thus adopted in accordance with the expressed will and instructions, it is incompatible with the principles of representative government, and in consistent with the respect due to the People and the States, and unbefitting the Senate, to set upon any proposition of rescinding the said expunging resolution," while the said instructions of the States, and the said expressed will of the People remain unrevoked and unaltered by any subsequent instruction or expression of the public will.

Resolved, That the thanks of the country are due to General Jackson, ex-President of the United States, for having, by his courage, patriotism and sagacity, in removing the public deposits from the Bank of the United States in 1833, and placing his veto upon the renewed charter of that Bank, in 1832, and thereby saving the Government and the People of the United States from the monetary loss, the political corruption, and the moral pollution, which a longer connection with that institution must have brought upon them."

On motion of Mr. Linn, the Senate at an early hour adjourned.

HOUSE OF REPRESENTATIVES.

THE COMMITTEES.

In conformity with the order of the House of Monday last, the Speaker announced the following committees:

Committee of Elections.—Messrs. Halsted, Blair, Barton, Borden, Cravens, Gamble, Tenney, Houston, and Reynolds.

Committee of Ways and Means.—Messrs. Fillmore, Bates, Samson Mason, Walker, Thomas F. Marshall, Joseph R. Ingersoll, John W. Jones, Atherton and Pickens.

Committee of Claims.—Messrs. Giddings, Cowen, Osborne, Tamm, Warren, Hubbard, Arnold, Burke, and Melill.

Committee of Commerce.—Messrs. John P. Kennedy, Winthrop, Toland, Childs, Rayner, Benjamin Randall, Sherlock J. Andrews, Thomas W. Williams, and Ferris.

Committee on Public Lands.—Messrs. Morrow, Cas-y, Truman Smith, Gentry, Bronson, Howard, Brewster, Chapman and Jacob Thompson.

Committee on the Post Office and Post Roads.—Messrs. Briggs, Joseph L. Williams, William Russell, Brockway, Owsley, Hopkins, Andrew Kennedy, John G. Floyd and Plumer.

Committee for the District of Columbia.—Messrs. Underwood, Summers, Alexander Randall, Powell, Richard W. Thompson, John Campbell, Hunter, McKoon and Dawson.

Committee on the Judiciary.—Messrs. Barnard, Trumbull, Pearce, Maxwell, Milton Brown, Garrett, Davis, Charles J. Ingersoll, Roosevelt and Saunders.

Committee on Revolutionary Claims.—Messrs. Hall, Patrick G. Goode, Triplett, Thomas J. Campbell, Maynard, Washington, James, Parmenter, and Wm. O. Goode.

Committee on Public Expenditures.—Messrs. Linn, Hulson, Morgan, Van Rensselaer, James W. Russell, Mitchell, Mark A. Cooper, Clinton and Littlefield.

Committee on Private Land Claims.—Messrs. More, John Young, Win. C. Johnson, Cave Johnson, Birney, Payne, Richard D. Davis, Cross and Harris.

Committee on Manufactures.—Messrs. Samuel A. Tillinghast, Randall, Stedman, Hunt, Henry, Allen, Gilmer and Patrick C. Caldwell.

Committee on Agriculture.—Messrs. Dooley, Rigby, Simonson, Gustine, Dyer, Shaw, John E. Welch, Partridge and Hastings.

Committee on Indian Affairs.—Messrs. James C. Copor, Chittenden, B.

Joseph L. White, Watterson, Weller, John C. Edwards and Gwin.

Committee on Military Affairs.—Messrs. Stanley, Penlet-on, Goggin, William B. Campbell, St. Kelly, William O. Butler, Solters, Miller, and John Thompson Mason.

Committee on the Militia.—Messrs. Keim, Coles, Ward, Byrd, Mark A. Cooper, Reding, Alfred Marshall, Sweney, and Sayder.

Committee on Naval Affairs.—Messrs. Wise, Calhoun, John C. Clark, Burnell, Fessenden, Rheist, Malory, Clifford and Wood.

Committee on Foreign Affairs.—Messrs. Adams, Cushing, Everett, Granger, Shepherd, Alexander H. H. Stuart, Caruthers, Merriweather, and Holmes.

Committee on Territories.—Messrs. Pope, Christo her H. Williams, Gates, Isaac D. Jones, Green W. Caldwell, Hays, Dean, Charles A. Floyd and Black.

Committee on Revolutionary Pensions.—Messrs. Talbot, Rodney, Staley N. Clarke, Mathot, Lyndiff W. Andrews, Babco k, Mathews, Fornance and William Smith.

Committee on Invalid Pensions.—Messrs. Morris, Ayer, Baker, Gordon, Stratton, Read, Don Sanford, and Augustus Young.

Committee on Roads and Canals.—Messrs. McKennan, Linn, John B. Thompson, W. W. Irwin, Sprigg, Matlock, Stenrod, Daniel and Riggs.

Committee on Patents.—Messrs. Robert M. Cleland, Cranston, Gervy, Ramsey and Arington.

Committee on Public Buildings and Grounds.—Messrs. Baranum, Ward, Cranston, Bowne and Sumter.

Committee on Reclaimed and Unaffiliated Business.—Messrs. Eastman, Beeson, Charles A. Floyd, Jack and Matlocks.

Committee on Accounts.—Messrs. Marchand, York, Cay, Staley N. Clarke and Joseph L. Williams.

Committee on Meads.—Messrs. Thomas W. Williams, John C. Edwards, Westbrook, Egbert and Black.

The six standing committees on Expenditures, which have follow, were hereof appointed, and by the rules of the House, remain until the Congress, viz:

Committee on Expenditures in the State Department.—Messrs. Van Buren, Hudson, Oliver, Brockway, and one vacancy.

Committee on Expenditures in the Treasury Department.—Messrs. A. Lawrence Foster, Sampson M. S. N. Partridge, Isaac D. Jones and James Irvin.

Committee on Expenditures in the War Department.—Messrs. M. Kay, Newland, Gamble, Reynolds and Birds ye.

Committee on Expenditures in the Navy Department.—Messrs. York, Simonson, Borden, Alexander H. H. Stuart, and Green.

Committee on Expenditures in the Post Office.—Messrs. Lowell, Morgan, Washburn, Bird and Lane.

Committee on Expenditures on the Public Buildings.—Messrs. Cave Johnson, Gates, Bidlack, Stokely and Houck.

SELECT COMMITTEES.

Committee on the Library of Congress on the part of the House.—Messrs. Tillinghast, Ayer, and Sumter.

Committee on the part of the Senate.—Messrs. Woodbridge, Tappan and Choate.

Committee on the National Foundry.—Messrs. William Cost Johnson, Samson Mason, King, Randolph, Malory, Hunt, Keim, Parmenter and Cave Johnson.

Committee on National Printing Office.—Messrs. Wise, Everett, Samson Mason, Gentry and Black.

THE PRESIDENT'S MESSAGE.

Mr. Fillmore rose and said that the standing committees having been now appointed, and thus being the short session, he hoped the House would consent to take up the President's Message for the purpose of reference. It was important that the subjects therein adverted to should be brought before the House as soon as practicable; and would therefore move that the message be taken from the table (where it had been laid by a vote of the House on Wednesday last) and that it be referred to the appropriate committees.

The Speaker said the subject could be taken up now if no objection was made.

THE TWENTY-FIRST RULE.

But Mr. Adams rose and held a conversation with the Speaker on the subject of his resolution providing for the repeal of the 21st rule, and was understood (tho' the Reporter could not hear him) to press a decision at this time, seeing that debate could not arise thereon.

The Speaker having decided that the resolution, if insisted on by the gentleman from Massachusetts, was the first business in order—

And Mr. Adams expressing a desire that action should be had thereon—

The House proceeded to the consideration of the following resolution heretofore offered by him:

Resolved, That the 21st rule for conducting business in this House, in the following words, be amended, to wit:

The first of the list of Colura

bi, or State or Territory, or the slave trade between the States or Territories of the United States in which it now exists shall be received by this House, or entered in any way whatever," be, and the same is hereby rescinded.

And the pending question again recurring, "Shall the main question (i. e. on the adoption of the resolution) be now taken?"

Mr. W. Cost Johnson moved that the whole subject be laid on the table.

Mr. Morgan asked the yeas and nays thereon, which were ordered; being taken, resulted as follows.—Yeas 108, nays 102.

So the whole subject was laid on the table.

TUESDAY, December 13, 1842.

IN SENATE.

Mr. Choate, of Massachusetts, appeared in his seat in the Senate this morning.

THE EXCHEQUER.

Agreeably to previous notice, Mr. Tallmadge, brought in a Bill to "amend the several acts establishing the Treasury of the United States." The Bill having been read a first and second time, was made the special order for this day two weeks.

BANKRUPTCY.

The Chairman announced the resolution offered by Mr. Tallmadge, on Thursday last, (calling upon the Secretary of State for information as to the effects of the Bankruptcy law in the several States,) to be the first business in order.

Mr. King asked the Senator from New York whether it was his intention to press the resolution? If so, he believed the effect would be to give the bill to repeal the Bankruptcy bill the "go-by." He did not think the information called for could be given before the close of the session, and then it would be too late to act upon the bill.

Mr. Tallmadge thought that there could be no objection to the bill being taken up as it was presented, and he would be answered in twenty-four hours after the information was received.

Mr. Crittenden expressed his willingness to vote for the resolution, if it should be amended so as to strike out the call for the "points of the decisions which had been made." This he thought would make the report too voluminous and too expensive, and might delay the answer. With regard to the law itself, he avowed himself ready for its repeal, and he hoped that it would be repealed at the present session. He had preferred a Bankruptcy bill, limited in its duration, to a permanent system of bankruptcy. He was now convinced that public opinion was against a Bankruptcy law, and in his own State he knew that he was the fact. The law, he believed had accomplished much good in the relief of many an unfortunate debtor, and doubtless, as was the case with all human laws, it had done much harm.

Mr. Tallmadge said that the information called for, was very limited, and he believed the answer to his inquiry would not result as the Senator from Kentucky apprehended. Upon the merits of the question, he would say no more at present than that, according to his knowledge the bill had been gaining friends every day, since its passage. Of his own knowledge, he knew several creditors formerly opposed to the law, who were now its friends.

Mr. Berrien suggested to the Senator from New York to accept of the amendment proposed, as, otherwise, the adoption of the resolution might be endangered. As to the Bankruptcy bill itself, Mr. Berrien was of opinion that many were in favor of such a law as the present, though in a form greatly modified.

Mr. Tallmadge accepted the amendment and the resolution was then adopted.

Mr. Graham gave notice that he should introduce an amendment to the bill introduced, the effect of which would be to allow all pending cases of bankruptcy to be disposed of in such manner as if the bill had not been repealed.

The Senate then adjourned.

IN THE HOUSE.

REPEAL OF THE BANKRUPT LAW.

Mr. Everett, agreeably to notice, asked leave to introduce a bill to repeal the Bankruptcy law.

Objection being made, he moved a suspension of the rules prescribing the order of business; and asked for the yeas and nays, which were ordered, and resulted—Yeas 137, nays 63.

Two-thirds voting in the affirmative, the rules were suspended.

Mr. Everett then introduced a bill to repeal the Bankruptcy law, and containing a proviso that the act shall not affect any case entered prior to 5th of December, 1842, or any pains, penalties and forfeitures incurred under the law.

The bill was read twice, and, on motion of Mr. Everett, it was ordered to be printed, and to be further considered on Tuesday next.

WEDNESDAY, December 14, 1842.

IN SENATE.

CLAIMS AGAINST THE UNITED STATES.

The following joint resolution, heretofore submitted by Mr. Graham, was, after a brief debate between Messrs. Woodbridge, Graham, King, Linn, and Wright, adopted—Yeas 24, nays not counted, viz:

Resolved by the Senate, (the House of Representatives concurring,) That the following be added to the joint rules of the two Houses:

Whenever a claim against the United States, of any description, has been, or shall be presented to either House, and referred to a committee, and such committee shall have made a report in writing against the allowance of the claim, and the same shall have been concurred in by such House, it shall not be in order to revive the consideration of such claim in that House, at the same or any future session of Congress, either by bill, resolution, petition, or otherwise; except upon a memorial of the claimant, first setting forth, upon affidavit, that he has discovered new evidence in support of his claim since the decision against it, and a statement of the substance of such evidence; or, second, a signed specific errors in the report of the committee adverse to it, and a certificate of a member of that House that he believes that the former decision was erroneous as charged in said memorial: Provided, that an order discharging a committee from the further consideration of a claim, shall in no wise require compliance with the rule.

BANKRUPT BILL.

Mr. Benton's bill to repeal the Bankruptcy Law, coming before the Senate in order—

Mr. Berrien moved its reference to the committee on the Judiciary, and briefly gave his reasons for doing so. The subject of a bankruptcy law was one of great importance, and he thought that a bill proposing repeal should go to a committee for examination. He had not seen any thing in public opinion which showed that a system of mercantile bankruptcy might not be established in this country. Again, he was for a reference in order to relieve Congress, if possible, from the odium of that instability of legislation which was always fatal to any country. The subject should at least be considered by a committee before acted upon by the Senate.

Mr. Benton replied, and expressed himself warmly in opposition to the Bankruptcy law, now in force. He pronounced it to be nothing more than the British insolvent debtor's law for the abolition of debts in the United States. Unlike the law of 1800, it broke up the State insolvent laws, and became itself an insolvent law. He protested against the motion of the Senator from Georgia. It was unparliamentary to send a bill to a committee opposed to the measure; and if it was sent there, he should consider it fatal to the bill itself. He called for the yeas and nays upon the question of reference, which were ordered.

Mr. Tallmadge said that he did not think the question of reference involved any vital principle. From what he had seen, he inferred that the law would be repealed, but he hoped that it would be done after a reference to and an examination by a committee.

Mr. Berrien again briefly advocated the reference, and contended that no one, by voting to refer, committed himself for or against the bill.

Mr. Benton said that if the call for the yeas and nays embarrassed any Senator who might wish to vote for reference and repeal, he would withdraw the call.

Mr. Crittenden observed that he wished to vote for the reference, and he should vote for the repeal in some shape, though not in the form presented by the Senator from Missouri.

Mr. Merrick said that he was about to make the same remark. He should like to gratify the Senator from Georgia by reference, and should vote for the repeal, and perhaps in the form proposed by the Senator from Missouri.

Mr. Benton then withdrew his call for the yeas and nays; and the bill, by a vote of 17 to 13, was referred to the committee on the Judiciary.

The Senate went into an Executive session, and subsequently adjourned.

HOUSE OF REPRESENTATIVES.

ELECTION OF CHAPLAIN.

The Rev. Mr. Taffany, of the Episcopal Church was elected Chaplain for the House.

THE DISTRIBUTION LAW AND CONTESTED ELECTIONS.

The following message from the President was received, and read to the House, viz:

To the House of Representatives:

Two bills were presented to me at the last session of Congress, which originated in the House of Representatives, neither of which was signed by me, and both having been presented within ten days of the close of the session, neither has become a law.

The first of these was a bill entitled "An act to repeal the provisions of the sixth section of the act of March 3, 1842, relating to the distribution of the proceeds of the sale of the public land, and to grant pre-emption rights, approved September fourth, one thousand eight hundred and forty-one."

This bill was presented to me on Tuesday, the 30th August, at twenty-four minutes after four o'clock in the afternoon. For my opinions relative to the provisions contained in this bill, it is only necessary that I should refer to previous communications made by me to the House of Representatives.

The other bill was entitled "An act regulating the taking of testimony in cases of contested elections, and for other purposes."

This Bill was presented to me at a quarter past one o'clock, on Wednesday, the thirty-first day of August. The two Houses by concurrent vote had already agreed to terminate the session by adjournment at two o'clock on that day; that is to say, within three quarters of an hour from the time the bill was placed in my hands. It was a bill containing twenty-seven sections, and I need not say, of an important nature.

On its presentation to me, its reading was immediately commenced, but was interrupted by so many communications from the Senate, and so many other causes operating at the last hour of the session, that it was impossible to read the bill understandingly, and with proper deliberation, before the hour fixed for the adjournment of the two Houses; and thus, I presume, is a sufficient reason for neither signing the bill nor returning it with my objections.

The 17th joint rule of the two Houses of Congress declares that "no bill or resolution that shall have passed the House of Representatives and the Senate, shall be presented to the President of the United States for his approval on the last day of the session."

This rule was evidently designed to give to the President a reasonable opportunity of perusing important acts of Congress, and giving them some degree of consideration before signing or returning the same. It is true that the two Houses have been in the habit of suspending this rule, towards the close of the session, in relation to bills of a certain class, and in relation to printed journals, that, by concurrent rules of the two Houses, passed on the last day of the session, the rule was agreed to be suspended as far as the same should relate to all such bills as should have been passed by the two Houses at one o'clock on that day. It is exceedingly to be regretted that a necessity should ever exist for such suspension, in the case of bills of great importance, and therefore demanding careful consideration.

As the bill has failed under the provisions of the constitution to become a law, I abstain from expressing any opinions upon its several provisions, keeping myself wholly uncommitted as to my ultimate action on any similar measure, should the House think proper to originate it, de novo, except so far as my opinion of the unequal power of each House to devote for itself upon the execution returns and qualifications of its own members, has been expressed by me the appointment of Representatives among the several States according to the Sixth Census is, approved June 22d, 1842, a copy of which is in possession of the House."

JOHN TYLER.

WASHINGTON, Dec. 14, 1842.

THURSDAY, December 15, 1842.

IN SENATE.

The Hon. J. C. CALHOUN appeared in his seat this morning.

THE QUINTUPLE TREATY.—Mr. Benton offered the following resolution, which, under the rule, lies over for future consideration.

Resolved, That the President be requested to inform the Senate whether the Quintuple Treaty for the suppression of the slave trade has been communicated to the Government of the United States in any form whatever, and, if so, by whom?

For what purpose and what answer may have been returned to such communication. Also, to communicate to the Senate all the information which may have been received by the Government of the United States, going to show that the "course which this Government might take in relation to said Treaty, has excited no small degree of attention and discussion in Europe." Also, to inform the Senate how far the "warm animadversions," and "the great political excitement," which this treaty has caused in Europe, have any application or reference to these United States. Also, to inform the Senate what danger there was of leaving "the laws and the obligations" of the United States in relation to the suppression of the slave trade to be "executed by others," if we did not "remove their pretext and motives for violating our flag and executing our laws," by entering into the stipulations for the African squadron, and the remonstrating embassies which are contained in the 8th and 9th articles of the late British treaty.

Mr. CALHOUN.—In the Senate of Georgia on Saturday last, Mr. Lowndes offered a Preamble and Resolutions relative to Mr. CALHOUN, and nominating him for the Presidency of the United States.

CHARLOTTE COURIER.